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family's means permitted, and that there was a sufficiency of coffee, sugar and cigarettes to maintain its dignity with visitors. He must also pay government dues and instalments of the price of any bride who was marrying into the family. Until the newer ways of to-day came in, he had further to buy a rifle for every youth in the family who came of military age. If he sent another man to market in his stead, as he was entitled to do, he often put a reserve price on the produce and always instructed his deputy about what he was to buy. On his return the latter must give a full account of his stewardship, saying what he had received for the produce and what he had spent, proving that he had made no unauthorized purchases, and handing over the remaining money intact. If the master grew so physically incapacitated that he could no longer make the long, arduous journey over the mountains to market (*pazàr*), he usually appointed one of the others, preferably the future master, to the permanent post of 'bazaar-man'. The latter then kept the family purse, but in other respects remained subordinate to the master.

It resulted naturally from the master's hold on the family purse that only he could lend money or contract a debt recoverable in law. If any of his subordinates made a loan or pledged the family credit on behalf of a friend, the borrower might lawfully repudiate the debt on the plea that it was not lawfully contracted. Generally, however, the master first scolded the culprit well for transgressing the law and then told the borrower that the loan was made on his authority, so leaving him no option but to repay it. In the same way, when subordinates borrowed, both they and the master were within their rights if they said the loan was illegally contracted and refused to repay it. More often than not, for the honour of the family, the master paid up. Again, in such matters as going surety for a loan, a woman's chastity, or a man's life, which were great features of Albanian life, only the master might act, subject to one exception. Each man's rifle and revolver were his personal property—to keep, to barter, to sell or to pledge without any reference to the master. Consequently, each subordinate might go surety up to the value of his arms. He usually did so with circumspection, however, for if he lost them he must not ask the master to replace them. The master was also responsible for any material damage done to a neighbour by his subordinates. If, for instance, they had stolen or killed a cow, or had set fire to a haystack, it was

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he who must find the money for compensating the injured neighbour. He sought it naturally in the common purse according to the law that 'the mishaps of a son are shared by his father and brothers'. If however, a subordinate killed a neighbour, it was just as likely that he himself or another subordinate would have to pay the penalty of a life for a life as that the master would have to do so. Presumably this anomalous division of responsibility arose because if the master alone were responsible for a murder, he would be so closely guarded that there would be no catching him and the murdered man's death would remain unavenged.[1]

Though the master's authority, resting as it did on his customary and traditional acceptance as his predecessor's choice or on his election by general consent of the household, was essentially moral, it was also backed by certain powers of enforcement. He had the right to beat a culprit, to leave him hungry, or to tie him up in a room or cellar until he came to a more proper frame of mind. This applied equally to the women; in fact, the commonest victim of tying up in a cellar was a girl who had jibbed at a proposed marriage. When a subordinate was grossly at fault and seemed incorrigible, the master might threaten to give him his portion and turn him out to fend for himself, and if the man did not reform, he would carry out the threat. In Krujë the author was present when a father expelled one of his sons for killing the other. In Turkish times the master had another salutary form of punishment at his disposal. This was taking away a culprit's arms for a week or two, so reducing him to the status of women and greybeards. 'Once shamed, twice shy' was almost invariably the result. But the best of masters might be helpless with a shiftless subordinate who had grown too old to beat. So long as the latter avoided gross misdemeanours like murder, he might idle with impunity. For physical reasons the master could not force him to work, and except in extreme cases the Unwritten Law disapproved of turning him out to sink or swim as an angry English parent might do.[2] The law said

[1] It is perhaps more likely that this vicarious responsibility of any member of the family instead of the master only is the survival of the more ancient practice unmodified by more civilized conventions. It is typical of the blood feud in more primitive societies than that of Albania. (Ed.)

[2] In Montenegrin tribal law the disobedient son might be fined the first time, confined and beaten the second and third time, and only expelled after that, expulsion involving disinheritance. *Vide* Durham, *Some Tribal Origins, Laws and Customs of the Balkans*, p. 84. (Ed.)

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500 to 50 *grosh* ('piastres') a year, payable in two instalments, the first after six months' service and the second at the end of his term.

According to a list from Shkrel where wages were still on an 'all-found' basis, a servant must be given a complete set of clothes —a shirt, drawers, cloth cap, scarf, cow-hide sandals, socks, trousers and sleeveless jacket. He got sandals as often as he needed a new pair, and a set of the other things three times a year: when first engaged, at the end of three months, and during his last month. On leaving he was given three okes of wool, which his female relatives could work up for him.

Disputes hardly ever arose over the servant's food or clothes, but were common about his work. As an Albanian of Koplik said picturesquely, 'Before a man is hired he talks like an angel, and then turns out a devil', so that 'half the men who lie in cemeteries have died of worry over servants'. The same speaker told a lively folk-tale of a master who was delighted to get a servant cheap and then found him come very dear indeed. Every time he asked him to do something, the man said it had not been mentioned in their bargain and he could not do it unless he got a rise in wages. Little attempt to get 'references' seems to have been made, perhaps because in the old days a would-be servant would have shot the giver of an adverse 'character' for slandering him. There was also a feeling that a servant's engagement was too temporary to take seriously. Once when the author inquired uneasily about a servant she had been urged to hire, an old mountaineer replied, 'What does it matter? you're not going to marry him'.

'Any gains made or any damage done by a servant are his master's', said the law. If, for instance, a servant somehow gained a horse, he could not send it to his own family, but must give it to his master. On the loss side of the ledger, if a servant unintentionally damaged a neighbour's property, say, by killing his horse, it was not he but his master who must make restitution, and his master could not keep back any of his wages for that purpose. Fining a servant was absolutely forbidden.

The relations of master and man with each other and with the outside world were regulated in detail by the Unwritten Law, using the servant's wages as its chief instrument. Thus if the two parted prematurely, the master being to blame, he must pay the servant his full wages for the year. When the servant was to blame, he had no right to more than the money for which he had so far

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dismissed with only the wages due until then. Since it was in a sense his own house and his own father that he had robbed, he could not be given a second chance; he was too obviously devoid of ordinary decency to be trusted again. And since the law forbade his master to strike him, he could not be beaten, as a thievish woman might be, till he reformed.

Dismissal did not end his story. He had to pay the statutory fine for housebreaking and to bring his late master two of everything he had stolen. If he had no money for the fine, he had to find a surety for the amount and then go and earn it elsewhere. After European legal codes were introduced at the end of the 1920's, these unwritten laws lost much of their force, and it was rather by threatening to get the thief sent to prison that an injured master obtained restitution.

In less sophisticated days a servant who was only suspected of robbing his master could be tried by the ordeal of the oath. If this proved him innocent, his master had to pay him six *qese* ('purses') for unjustly accusing him, besides a full year's wages and clothes. If it was later found that he had perjured himself, the elders fined him twenty-four *qese*, of which half went to the church (or mosque) and half to the tribe; he had also to return to his master the six *qese* and the unearned wages and clothes which he had won from him by perjury. It sometimes transpired, however, that the informant who had disclosed his perjury had lied himself. Then the elders once more declared the servant innocent, ordered the church and tribe to return his twenty-four *qese*, and the informant to pay him a year's wages and clothes besides six *qese* for the false accusation.

If a servant stole in his master's village or another community, punishment depended on who had instigated the crime. If his master had done so, he and not the servant was in fault, and it was for him to make reparation to the victim. He must also dismiss the servant forthwith as a public nuisance; but since the man was only his tool, he must pay him a full year's wages. If, on the other hand, a servant stole on his own initiative, the fault was his and it was for him alone to make restitution. In addition, he might be legally dismissed with no more than the wages he had earned.

Much the same laws applied when a servant committed a murder. If he did so at his master's instigation, both were punished. He must be dismissed, but his master must pay him a full year's wages. The resultant blood feud was primarily his concern, but if he

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escaped from the district, his master might lawfully be shot in his stead. When, however, a servant murdered on his own responsibility, he alone should suffer for the crime. His master was entitled, in dismissing him, to keep back the portion of his wages for which he had not worked, and according to Lek's Kanùn ought not to be shot in his stead. Skanderbeg's law, however, held him as liable in this case as in the former.

The only available information about a servant's seducing a girl or young wife in his master's family comes from Martanesh and Shkrel and dates from past times. In Martanesh the law condemned the man to death for incest because his master was his 'father' and the young woman his 'sister'. In Shkrel he was killed at once if he had sinned with a young wife, but if with a girl he was dismissed with orders to hold his tongue, and only if he talked did the girl's father go and shoot him. As for the girl, she was married to her fiancé as quickly as possible. He was not told that she was pregnant by another man, and would not have cared if he had been. He wanted her as wife and worker and felt sure that he was man enough to keep her straight after marriage; beatings always worked wonders. The child was sent to the servant as soon as born; he never acknowledged it but either killed it or exposed it by the wayside. The father did not dare to beat the girl in case she ran away to the servant; at all costs he had to keep her for her fiancé, who had presumably paid a good proportion of her bride-price and would have killed him had he failed to deliver her. Presumably the fact that a servant was held to be of little or no account saved the wife or girl from the usual punishment for adultery.[1]

Sometimes, despite their being 'brother' and 'sister', a servant married his master's daughter. Thus an ancestor of Bicaj was a Catholic of Gjugjë in Mirditë who entered the service of Hysen Agë Shteki of Bicaj, turned Moslem, and married Hysen Agë's daughter. Even in modern times a servant may be given his master's daughter in marriage. This is particularly likely to happen if his master is Moslem and he a Christian who agrees to change his religion. His master then looks on his own consent to the marriage as an act of piety. Servants varied in importance according to the master they served. Thus the servant of a Moslem priest (*hoxhë*) had more power than an ordinary peasant's and less than a bajraktar's —at least in the days before most bajraktars were shorn of their

[1] See Chapter XXI.

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231 685 628 case of murdered man and murdered woman. In some areas, such as Kurbin, the blood money for a house dog was assessed by the elders or governmen. authorities.

A stranger who agreed in his simplicity to pay the owner what he demanded for his dead dog might find himself presented with a fine bill. The owner would say that the dog had saved his life on several occasions and was consequently worth six, ten or even twenty napoleons. Sometimes the owner asked the stranger, not for blood money, but for another dog of the same quality as the dead animal. The cost might exceed the conventional amount of blood money.

In the above cases a house dog had been killed in self-defence. When it was killed out of spite matters were much more serious. 'He who kills a house dog will steal your wife', says the Kanùn. Such killings usually took place at night because the aggressor would find it dangerous to approach the house in daylight. This aggravated the crime since the night was the dog's own time.

In Mirditë, Kurbin and Martanesh a man who killed a dog 'in its kennel', i.e. on its own ground and therefore spitefully, must pay its master 500 grosh, almost a fortune in these poverty-stricken areas. In north Albania his life was forfeit. When he had been killed by the dog's master, his relatives killed one of the latter's family, arguing that they could not permit their relative to be equated to a dog. In most cases the two parties being 'one for one' the dog's master then consented to make peace on condition of receiving blood money for the dead animal. He might stipulate, if he wished, that this should take the form of an ox or a horse and so cost more than the conventional blood money. Occasionally the feud was continued—it is on record that twelve men in the north once died for the sake of one dog. In any region a man who immediately pardoned the killer of his dog would be taunted as 195 a weakling. In Lumë the man who was suspected of having killed a house dog found dead, a crime as costly as killing a man, could not clear himself unless he persuaded twenty-four elders to take oath with him.

231 685 672 The legal discrimination between defensive and spiteful killing made it important for a man who killed a dog during the daytime to establish his motive. He could do so simply and surely. If his bullet had struck the dog in the forehead or chest it was evident that the animal was charging him and he had fired in fear. If, on the

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other hand, he had shot the dog in the back he must have killed it out of spite.

Whereas house dogs remained at home and were chained up for half their lives, sheep dogs were normally free both day and night and divided their time between the mountain-side and the sheep-fold. Their function was to protect the flock from thieves and wolves. If these approached, they must bark a timely warning so as to bring the shepherds with their rifles and they must themselves attack the marauders. They must therefore be alert, courageous and fierce, true 'Molossian hounds'. In districts infested by wolves they wore iron collars set with iron spikes to prevent the wolf from tearing open their throat. In common with other sheep dogs in the Near and Middle East they did not handle the flock. That was led, or occasionally driven, by the shepherd unaided.

As fierceness was their most important asset, sheep dogs were given the same harsh upbringing as house dogs. Indeed, they were generally removed at a still earlier age from their mother so that they should not know even her caresses for long. But they were gentle enough with their flocks, from which they never parted. As puppies they were fed on ewe's or goat's milk—hence, said the peasants of Shpat, their later friendliness with the animals they guarded. In adult life they were fed on maize bread roughly baked in indigestible looking balls by the shepherds. Nevertheless, their strength and the sleekness of their coats showed that the diet was sufficient.

The law of the sheep dog varied from place to place according to the animal's position in the local economy. In the north, where men depended almost entirely on their flocks, the sheep dog was of paramount importance as the guardian of its master's whole livelihood and was protected by the law to the utmost. In areas such as Kurbin, where men combined agriculture with sheep-breeding, the sheep dog was of less importance to its master and some relaxation appears in the law. In fertile areas like Lumë or Krasniqë, where agriculture predominated, the sheep dog was still less important and the law less drastic. So in the north it was more serious to kill a sheep dog than a house dog and elsewhere the position was reversed.

Among the mountains of the north the law of the sheep dog was the same by day and by night. A passer-by might be bitten at any hour of the day or night, but if he killed the dog he would be killed

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they must not bring them home, but must leave them at the more or less distant sheepfold. There was no ban on their keeping shooting and pet dogs.

If a house dog disappeared temporarily during the mating season so that its master could not find it at dawn to tie it up for the day, he remained responsible for its conduct. It was held that a house dog loose under such conditions during the daytime was like one that had been duly tied up but had broken loose. Happily for its master and for strangers, a dog was generally too much occupied at such seasons with its own affairs to trouble about strangers.

If any type of dog fell into a snare set by a neighbour near its master's house, the neighbour must pay its full value. He had no doubt obtained its master's consent before he set the snare, but that did not relieve him of his liability for ensuing casualties.

Damage done by dogs must be paid for in money or by the dog's death. Each case was handled with a good deal of ceremony. If a dog ate a neighbour's eggs or killed his fowls, the latter asked its master to tie it up. If he refused, the neighbour had the right to kill the dog, and its master could not exact compensation. The neighbour generally took an oath in public that the dog had developed a habit of eating his eggs or killing his fowls, and that he had asked its master to tie it up and had been told to kill it. If he killed the dog without warning, he must in most places pay its value as assessed by the local elders. But in that case its master must first take oath that it had never eaten eggs or killed fowls. If the dog was commonly considered valuable, the neighbour would probably warn its master twice before he killed it. In Çermenikë and Martanesh the law was sterner; a delinquent dog had always to be killed, but if this were done without its master's leave, a blood feud started. In such cases the culprit was generally a house dog.

In cases of sheep-worrying the culprit was invariably a sheep dog. The general verdict was that the animal must die, but there was some variation in local methods of reaching this verdict. In north Albania and in Yugoslav Kosovë the dog's master must indemnify the sheep owner for every sheep worried and must take oath that the dog acted of its own impulse and had not been specially trained to kill sheep; any proof that it had been so trained would immediately cause him to be killed by the sheep owner. He must also kill the dog or keep it chained up in perpetuity. If the

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compromise reconciled the public's need to use the road and the individual's wish to protect his crop without incurring the intolerable expense of making a fence or wall. One neighbour put two hurdles across his half of the road, one where it entered and the other where it left his land; both were low enough for men to jump over and high enough to keep back animals. Each had a hole at the bottom that was too small for animals to crawl through but big enough to let logs through when they were dragged down from the mountain for fuel; logs for fuel were such a necessity of life that they could not be denied a road. The other neighbour threw across his half of the road the Christ's Thorn which grows all over the plains of Albania, thus making a formidable barrier for men and beasts. Shutting up this half of the road did not matter; animals had no right in any case to go near a sown field, and the other man's hurdle was sufficient for human traffic. After harvest the thorns were removed, leaving that half of the road clear. The hurdle remained in place, as the clear half of the road was wide enough for the traffic.

In 1935 a man from Nangë in Lumë blocked the road along an irrigation channel for the summer, half of it with a low wall and half with thorns, so that men, but not animals, could still travel on it. He had wished to sow maize in his adjoining field and been too poor and short-handed to construct a fence to keep out animals. Since irrigation was so important, there was a special law that 'a road beside an irrigation channel can't be shut up'. Consequently, his act was highly illegal. But his poverty was thought to excuse it, and he had mitigated his offence by making a new road for animals at the top of his field, where there was no maize. In so doing he had confused the right to block a road for the summer only and the need, when closing one permanently, to provide a substitute. For the law forbidding a man to block an old road permanently was not rigid. If he had good reason for the change, secured the consent of the elders (a most important point), and provided a satisfactory substitute, he could even move a very old road. It was only if he failed to satisfy these conditions that he had to leave it where it was. The poor man just mentioned transgressed by not consulting the elders; their unusual clemency lay in refraining, out of consideration for his poverty, from reopening the road.

When a man applied for leave to close an old village road, he generally pleaded damage by passers-by or a need for more land to

complained against him to the elders, and he was fined ten grosh in Turkish and two gold francs in modern times. In Turkish times a strong man often forced his way through and only a weak man cowed by the guns levelled at him, turned back. The principle of private ownership was carried so far in this village that it extended even to a certain garden road which was not blind but had an exit as well as an entrance. This was reserved for the villagers of one ward, and forbidden to their animals, to the rest of the village and to 'foreigners', with one exception. If a girl from another ward or village had married into the privileged ward, her kinsmen had leave to use the forbidden path when on their way to visit her. If even one man in the ward objected, however, he had the right to veto their passage. It is not known how this unusual privilege came into being. The most obvious explanation would be that the families in the ward descended from a common male ancestor, but, in fact, the families were of very mixed descent.

In the extreme north the individual's safety on certain inter-tribal thoroughfares was ensured by what was called the 'truce of sheep and shepherd', because it mainly concerned shepherds and their flocks. Actually travellers and public messengers also enjoyed its protection. Two or more tribes, meeting in full assembly of all their bajraktars, heads, and youth, swore a solemn truce to attacks on life and property on a given route or routes within their territory, and guaranteed its observance. They prescribed the limits of the road which it covered, regulated the behaviour of persons taking advantage of it, and enunciated penalties for breaking it. Thus, a shepherd could lead his flock and graze it only within a prescribed limit. A traveller or public messenger journeying from one of the contracting tribes to another had both going and coming to keep within the points fixed. As soon as he had set foot in the foreign tribe's territory he had to go straight to the bajraktar's house and not turn aside to any other. He must not venture out alone but must always be accompanied by the bajraktar or a guide of his providing. So long as shepherd, traveller or public messenger obeyed these rules and kept to the prescribed road, he was regarded as a public guest and consequently was guaranteed public protection and, what was almost more important, public vengeance in the event of being murdered or robbed. Protection came from the knowledge of the penalties which the foreign tribe would exact for any harm done him. If he were murdered the price of his blood

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was 22 purses instead of the usual 12. If the murderer was slow to pay up, the tribe enforced payment. In addition, they burned down three of the *kulla* (houses of two or more storeys) in the murderer's compound. If he did not possess so many, they burned his own *kullë* and two belonging to his nearest relatives. If between them they did not have so many, the tribe searched among his more distant relatives until they found the required number, going back a hundred generations if need be. They also destroyed his property—crops, livestock and the rest—so thoroughly that nothing of it remained. The same penalties were inflicted on a thief who stole sheep travelling or grazing within the protected area. On the other hand, if a traveller, public messenger or shepherd broke the conditions of the truce, straying, for example, from the prescribed path, he was no longer counted a public guest and lost his right to public protection and vengeance. He was still a private guest however. The last man in whose house he stayed before his mishap was bound to kill his murderer or to punish the man who robbed him.

This truce of sheep and shepherd has now died out. At the end of Turkish times it was already confined to the Gjakovë group of tribes in the extreme north-east, such as Nikaj, Mertur, Gash and Krasniq. But Father Gjeçov found traditions of its existence in the Dukagjin tribes of Shalë, Shosh, Kir, Gjâj and Toplanë, and also in Puke, Mirditë, Kthellë, Kurbìn and the mountains of Lesh. Father Gjeçov considers the custom to be so old that it dates from days 'before thin-necks began to vomit flame', that is to say, before firearms were invented.

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public memory. If only one of the two wanted a barrier, he had to build it unaided and entirely on his own ground, leaving the boundary stones on his neighbour's side. In this case its position relative to these stones was enough to show whose it was, but he nevertheless constructed the usual niche on his own side. He could not, however, build the wall right against the boundary stones but had to leave its width free between them and its outer base. For the law said that any rain that fell on a man's house or wall must run off on his own ground and not damage his neighbour's property. It needed no legal compulsion, of course, to make him construct the various buildings in his own yard in such a position that their drips did not damage his fence. Incidentally the 60 cm. of free space served at need for a footpath. When two brothers were embittered, each built a partition wall, naturally without a communicating door.

If a man wilfully damaged a tree or other property on his neighbour's land he had to answer for his crime by paying damages. If a stranger who did not know he was trespassing on another's property and was not warned off by a shout from the owner did similar damage, he, too, had to appear before the elders. But if he could prove ignorance of trespass, he had no damage to pay. To keep animals under control so that they should not stray to another's property, a wall or at least a fence round the yard was an essential concomitant of a house. This too had to be its own thickness inside its owner's boundary to guarantee that rain drips did not damage the ground next door. In the Malësi e Madhe the man building the wall could claim any timber that during building operations fell not more than half-way down on his neighbour's side. But whatever fell more than half-way or reached the ground—even the scrap of land he had left himself between the wall and the boundary—became his neighbour's. This discrimination applied to every form of wall.

Sometimes when one of two brothers was enclosing his yard he was permitted to utilize his neighbour's wall for one side of his enclosure. There was no risk of this confusing the ownership of the wall, for the neighbour, when building it, had not only put a proprietor's niche on his own side but had also left the boundary stones outside so that they fell within the new yard. A more distant relative could not utilize an existing wall, but had to build one of his own, parallel to the neighbour's and distant by the

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Disobedience to accepted authority was not permitted to an individual tribesman, a villager or even a tribe if that formed part, like the Mirditë tribes, of a group of tribes. Several of the Documents end by indicating the penalties that await tribesmen who defy the authority of the General Assembly that had laid down the preceding laws for the public good.

Examples of penalties prescribed are a fine of 3000 grosh, a choice between being burnt out or paying an ox to the tribe and 300 grosh and a ram to the government's representative, and a sentence of having one's house burned down and oneself expelled. Number XIII, the Fascist document from Mat, simply declares that any delinquent will be called a traitor. In each case the whole tribe was to meet again in General Assembly and go in a body to carry out the sentence. According to Document XI the breaker of a pledge guaranteed by the General Assembly of the Elders and Commoners of Kurbin was warned that the said Elders and Commoners would be obliged to burn his house and expel him.'

Elders were seldom tried before a General Assembly. They were kept in check by the fact that if their judgements were found unfair they lost not only face but also fees, for they were seldom asked to judge again. If there were complaints against one he was first asked, like an erring bajraktar or voivode, for a pledge; if he refused to give it he was haled before the General Assembly.

If a disputant flouted an elder's just and carefully considered judgement, he found himself before a General Assembly. For an elder represented a lawful authority. 'If you don't like the decision, go to St Paul's church or the Defile of Orosh (*Grykë e Oroshit*)' was the formula in Mirditë in such cases, church and defile being the favourite meeting-places for the General Assemblies of all its five tribes. If the Assembly upheld the elder's judgement, the penalty usually imposed was banishment for three years for the culprit and his family, the burning down of his house, the destruction of his crops and trees, and leaving his land untilled until he returned.

Sometimes a village was a public nuisance, harrying travellers, stealing its neighbours' beasts, cutting off their irrigation or mill water, trespassing on their forest or grazing, and so on. The bajraktar, voivodes, elders, and all the commoners in the rest of the tribe then gathered in General Assembly, one man from each house, and brought the village to its senses, fining the more harmless

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offenders, banishing others, and executing the ringleaders if these had committed any crime entailing the death penalty.

Sometimes a village went to actual war with the rest of the tribe. As it never did so unless it knew itself to be very strong, the rest of the tribe was sometimes unable to reduce it. If the tribe was alone, the war went on until both sides were exhausted enough to cry halt. If the tribe was one of a group its heads could call in all the men of the other tribes to reduce the belligerent. In Mirditë a Gjomarkaj called the General Assembly which decided on this step, and led its members against the belligerent.

Sometimes, like a pestilent village, a tribe that formed part of a group made itself a nuisance to its neighbours. In that case the General Assembly of the other tribes in the group sentenced it wholesale to the usual penalties—fines for mild offenders, burning out for medium offenders and death for bad offenders. A whole tribe, however, could not be banished. It could only be ostracized, cut off from all intercourse with its neighbours; this penalty lasted until it consented to furnish the usual pledges for its future behaviour.

Village Assemblies dealt with matters of exclusively village interest. They regulated wood-cutting and irrigation rights, for example. They fixed the date at which beasts might be sent up to their summer pasturage on the high mountains. They stipulated the number of beasts that might be sent up by each family. They took steps to see that no one appropriated more than his fair share of forest, irrigation water or grazing. In so doing they made a valuable contribution to the public peace. Some aspects of murder also engaged their attention. The actual crime and revenge for it were the concern only of the families of the murderer and his victim. But it was the concern of the village that the range of revenge should not spread, increasing the number of avenging assassinations and so disturbing the village peace. So the law having laid down that the avenger must allow the murderer a day or two's grace to settle up his affairs before he was besieged in his house, the village had to extract a promise of this grace from the avenger. In cases where the grace lasted for thirty days, the village had to see that the murderer did not abuse his privilege and harry the victim's family. If he showed any such tendency, the village in General Assembly had to fine him and bring his period of grace to an untimely end.

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be put to the oath; such an ordeal was not for boys under twenty, old men over sixty, women, gipsies or lunatics. All of these were considered so irresponsible that even their sworn word carried no weight. One exception comes from Zerqan, where a woman accused of a petty theft like stealing a dress might take an oath in the semi-privacy of her home that she was innocent. If her fault was more serious, her oath was not accepted. A man—her husband or son or, failing these, her brother—had to take one for her, as he would have done for his senile father or his infant son. Another exception occurred in family oaths, as described later. But this exception was apparent rather than real. The infant boys who were present did not themselves take the oath. The master alone repeated the words dictated; the boys and other males were present solely to be implicated to the maximum extent possible in the dread consequences of perjury.

In criminal cases it was the suspect, the man who denied an accusation, who had to take the oath. In such cases its sole purpose was to clear him of suspicion; if he could take it, he was acquitted, and if he could not, he was convicted. The accuser was never allowed to support his accusation by an oath; even if he insisted that with his own eyes he had seen the crime being committed, he could not swear upon oath that what he said was true. For motives of spite might have induced him first to accuse his neighbour falsely, and then to swear a false oath. So the law said firmly 'It's for the denier to take the oath'.

Occasionally a suspect refused to take the oath. Then his accuser was at least tempted to shoot him. If it was a case of stealing he had to think twice; shooting the suspect would start a blood feud because 'murder for a fault (like stealing) isn't allowed', and perhaps the lost property was not worth the nuisance which the blood feud would cause. If it was a murder case, it did not much matter if he did shoot the suspect; he was already at feud with the murderer. In property cases refusals to take the oath seem to have been unknown when the dispute was in the hands of elders; if they ordered a disputant to take an oath, he dared not disobey for he knew that the whole community would gather to enforce the order. If one disputant, before the case had reached the elders, asked the other to take an oath that the property was his, his request was refused as often as not, and then shooting became inevitable.

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compurgators took the oath and half stood listening with their hands folded at the waist. As only the former touched the Gospel they were called 'oath-hands'. Possibly Father Gjeçov's information came from a different area of Dukagjin, or even since his time the details may have been modified. 695

The compurgators took the oath on the day officially appointed. The suspect took it a few minutes, a day or several days earlier, as best suited the general convenience, and generally in the presence of the compurgators only. The taking of the oath by the compurgators was a more public affair. The accuser's presence was in most places indispensable. If he would not, or could not, attend the ceremony, he had to give up trying to get his rights by an oath and had to find a private detective to take up the case. In Zerqan, apparently, the accuser did not need to be present, in theft cases at least. The number and quality of other witnesses varied in some places, such as Kurbin, with the gravity of the case, and in others with local custom. In Fulqet, Godolesh and Çermenikë it was obligatory for the village to turn out; otherwise the oath was not considered valid. In Mirditë the elders trying the case had to be present and so too in Theth, Dibër and Çermenikë; if, however, one of them found it inconvenient to attend, he could, in Dibër at least, send a deputy. In Lurë the Catholic priest had to be present when the suspect was Catholic, as had the Moslem sheikh of Ceren when he was a Moslem. In the Malësi e Madhe, Bytyç and Martanesh, an oath was valid if witnessed by the accuser and a few of his friends.

In grave cases a whole family might be asked to take the oath. In that event the master spoke in his usual capacity of household representative, for the rest of the family as well as himself, and it was forbidden to ask them to repeat his words. In Mirditë the women and children were not involved, but in Malësi e Madhe all the males of the family had to be present regardless of their age, and the master held an infant boy in his arms while he swore that he and they were innocent. In Martanesh, too, the accused had to bring all his sons, all his brothers and all his brothers' sons to the ceremony. The suspect had to swear to the whole family's ignorance as well as innocence of the crime. [672]

In most districts this oath was taken at any of the usual places for oath-taking, but in Martanesh it was taken in the most solemn circumstances possible, at the grave of Balim Sulltan. It was a very 695 672 783

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serious oath, entailing the extinction of the whole family if the oath-taker perjured himself. This was symbolized clearly in the Malësi e Madhe ceremony. The master's perjury, if any, and its penalties would, it was believed, run through his body and the infant's like an electric current and destroy both. The wording of the oath seems to have been suitably strong as well as comprehensive. The only available example comes from the Malësi e Madhe, and runs, 'By this holy oath of the Lord, if I did it, may He reward me. As for the male of yours who has been killed, neither I nor my kinsmen, male or female, have killed him with our hands or our guns or with a guest's or agent's hands or gun.'

The family oath was reserved for men who were expected to deny a serious crime of which there was strong evidence that they were guilty. In the Malësi e Madhe, and apparently in Martanesh also, this was murder. So in these areas a family oath was tantamount to one with twenty-four compurgators. In Mirditë and Kurbin it was chiefly used in theft cases. If a sheep or goat in Kurbin was stolen, the thief had to return two sheep or goats to the owner, and pay a fine besides; if, however, he denied the theft, he must swear with his whole family that he was innocent. By contrast, a man who denied stealing an ox, a horse or a mule, was only ordered to take the oath with six compurgators. The theft of these animals was less serious than stealing a sheep or goat; for they only represented wealth, whereas the sheep and goats provided food for their owner.

In Mirditë the accuser had the right to ask a family oath of any man whom he strongly suspected, and could also say that he must take it with a jury. In that event he had to specify the various families in the village who were to compose the jury. For the Malësi e Madhe there is no evidence, but in Martanesh a jury was seldom required in family oaths. Group oaths were used in cases where the suspect, told to take the oath with twenty-four compurgators, failed to find so many ready to swear to his innocence and volunteered to take the oath with all the males of his family in Balim Sulltan's mausoleum. If he did so, nothing more was required of him.

In Mirditë, as Father Gjeçov informs us, a truculent accuser might also ask the oath by the head of the suspect's son; in that case the accused could not refuse to take it, unfair and dangerous to the child though it was. If there were more than one boy in the

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such phrases as 'May Sheikh Ibrahim cut short my life' and 'May the bread kill me'. Sometimes the mechanism was crude and obvious, as in Jove's thunderbolts, the lightning that struck the perjurer dead, set his house on fire, or killed his livestock. Even if a perjurer escaped death, it was expected all over the country that he would fall ill or go from bad to worse till he came to ruin. Poverty and sickness must be his lot. His family might even die out, most dreadful of calamities. His son might be born with a physical defect, lame or blind or with a withered arm or too many fingers to his hands. A man of Tërnovë, near Martanesh, took a false oath, and as a result one of his eyes a year later was as large as his fist.

There were also social penalties to be faced. A man detected in a false oath became an outcast, despised and condemned by all his fellows, and was never again invited into any house in the tribe. In grosser cases in the Malësi e Madhe he might even be expelled by the tribe. In Mirditë his family was branded with shame for seven generations. All over the Catholic areas he was also fined. In Mirditë there were elaborate rules for these fines. If there had been a jury of twenty-four, the perjurer had to pay 100 rams and an ox to the Gjomarkaj family. If the jury had been smaller, the fine, which was presumably of the same amount, went to the tribe. In addition, the perjurer had to pay a fine to the Church and 500 grosh to each compurgator for leading him into perjury and outrage to the Church, and so exposing him to the usual punishments for perjury and sacrilege. For the Divine wrath fell on an unwitting no less than on a witting perjurer. It was no excuse for a compurgator in God's eyes that he had forsworn himself in reliance on the suspect's oath; he had had the responsibility of ascertaining the facts for himself. The compurgators and the perjurer had to go to church in order to obtain absolution for their sins. Just before leaving, the perjurer had to leave money on the altar to pay all the fines he had contracted to pay when he took the oath before the compurgators. In the Malësi e Madhe he had to give six purses to the Church as well as one to each compurgator. In Martanesh which is, of course, completely Moslem, the same compensation was payable to each compurgator in a perjury case, but in neighbouring Zerqan the practice was unknown. The fine was obviously a considerable deterrent to would-be perjurers, especially when the jury was large.

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of theft which were no less universally regarded as shameful. A man who stole from another with whom he had broken bread as host or guest disgraced himself for ever. A woman must not steal for fun or spite. If she did, not only her husband's family, but the whole village felt ashamed and took steps to deal with her.

The accomplice who helped the thief, the host who fed him and the receiver who hid the booty were all considered as no less guilty than the thief himself. 'A thief and his host are the same', and 'Like thief, like receiver' were common sayings. All had to suffer punishment in proportion to their share in the crime and booty. The owner of stolen goods had the right to remove them from the premises of a receiver and to claim compensation, and the receiver had no legal claim for redress as against the thief. On the other hand, if a man bought stolen goods in good faith he had to give them back to the rightful owner, but he was entitled to recover what he had paid for them from the thief.

All possible means of protection against theft were adopted by the mountain peoples. Every man carried a gun by day, and slept with it beside him at night. Dogs were kept in every house and sheepfold. Domestic animals were branded with a mark that could not be destroyed, as when sheep had both their ears notched. Farmyards were surrounded by walls too high to scale and had stout wooden gates heavily bolted at night. Thieves, however, could make holes in the mud and stone walls, and frequently forced an entry that way. The walls of many village shops were lined with wood, so that a thief's chisel, striking it, would make sufficient noise to put the householder on the alert.

In Turkish times many villages sent out armed patrols every night, composed not of professionals like the night watchman of the towns, but of unpaid villagers who served in turn as directed by the village headman. When there was danger of sheep-stealing on a large scale, the threatened villages sometimes bought the protection of some strong man. For example, the villagers of Reç, now in Yugoslavia, hired protection from sheep-stealers of Dibër by paying the Kaloshi family of Dibër a thousand napoleons a year. Nor were the parties deterred from contracting together by the fact that the Kaloshis were Moslems and Albanians, and the villagers of Reç were Orthodox and Macedonian Bulgars.

In the extreme north and south of the mountains, guns could legitimately be used when a thief was caught in the act of breaking

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685 [683] Assembly by his neighbour from whose tobacco box he had inadvertently rolled a cigarette. In every tribe and village, a man's honour was so stained by the theft of his gun or his wife that he had to shoot the thief and take the consequences of the ensuing blood feud.

The penalties imposed depended also on the nature of the articles stolen. North Albania was predominantly pastoral and, as the safety of the flock of sheep depended on the bell-animal, penalties for stealing this animal were heavy.[1] In Lumë the owner could demand six or seven sheep for the thief: 'as well steal the whole flock as its leader.' In Perlat stealing a bell-wether was such a disgraceful act that in the blood feud against the thief's family, even a woman could be killed. The bell of the leading animal was even more precious than the animal itself, and in Perlat, if it were stolen, it had to be returned and a sheep with it. In Labinot, the bell was thought too unlucky to be hung round an animal's neck again, and instead of returning it, the thief had to pay twice its value or be shot. In Mirditë a fine of 500 grosh was imposed for the dishonour done to the owner.

The two-for-one rule was applied to thefts of all farm animals, with the exception of pigs and cocks. The man who stole a pig had to pay 500 grosh in hard cash. This sum was often ten times the value of the animal, but the pig was the mainstay of the poor man and required special protection. The same sum of 500 grosh had to be paid for a cock, as 'the cock is the poor man's watch'. It was said that in Krasniqë an actual watch had to be paid instead of the money penalty.

685 562 [462] [672] Firewood was usually collected by women, and when they stole it their husbands were held responsible. It was common practice to seize the axe with which the thief cut the wood and the rope with which she slung it on her back. These articles were sometimes used as visible evidence of her guilt, sometimes retained as compensation, or as a guarantee for the payment of the penalty, or of the fee due to the elder who dealt with the case. Women might steal other things than firewood, and responsibility was always placed on the husband. It is recorded that, during the reign of King Zog, men might even be imprisoned for their wives' thefts. It was they who had to take the oath if an oath was required. The woman did not, however, get off scot free. In most areas she was

[1] Vide supra, p. 173.

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CHAPTER XXI

# MURDER WITHIN THE FAMILY

682 627 596 When a man murdered his son, father, brother, paternal uncle, paternal uncle's son, or brother's son, the usual verdict was that in killing so near a relative the murderer had 'killed himself'. The victim's blood was therefore lost, 'no one sought-to-avenge him', and it had only been his 'ill-luck' so to die.

From another point of view it might be argued that since the murderer was the victim's nearest relative, other relatives could not act over his head and avenge the dead man. For example, when a man murdered his paternal uncle, if the latter left neither son nor brother, his blood was lost, for the murderer was his nearest relative and by killing him had only killed himself. On the other hand, if the uncle left either a son or a brother, that son or brother was nearer to him than the murderer and avenged his death. In view of his relationship to the criminal his vengeance generally took the form of exacting blood money. In the same way when a man murdered his brother's son, the victim's blood was lost if he left neither father nor brother. But if he left either, the murderer had to pay blood money. The rule of the nearest relative failed only if one brother killed another while their father was alive. Though the father was the nearest relative of the victim, the fratricide being only a neighbour by comparison, the victim's blood was lost. The father could not avenge him except by killing his surviving son, and even from the best of motives no decent father would kill a son.

[672] [684] [587] [607] [558] The motive of the murderer seldom affected the situation. The murder of a son, an extremely rare occurrence, was oftenest due to his adultery with his young stepmother. His blood was lost, not because of his sin, but solely because the father who murdered him was his nearest relative. Again, one brother sometimes fell in love with the other's wife, and knowing, especially in north Albania, that if she became a widow he could by customary law marry her, could not always resist the temptation to make her a widow. The victim's blood was lost in spite of the murderer's motive, and the fratricide married the widow and suffered no disability except some loss of face.

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loss of face. At Krujë in 1930 when the authorities sought to punish a man who had murdered his brother during a quarrel, the widow swore that the pistol had gone off accidentally when her brother-in-law was trying to wrest it from her husband, who had threatened suicide. Having thus prevented the authorities from taking action, the widow made no effort to keep the true story of the murder quiet, but repeated it every day during the month when the women met for the ceremonial 'keening'. She was also openly commended by the public for preventing the government from shaming her husband's family by arresting the murderer.

Exceptionally, if the murderer's motive was bad by tribal standards, his relative was well avenged. For instance, if a man killed his cousin or nephew to get his land, the crime was considered so anti-social that the murderer was killed by the community, his blood was lost, and his family expelled. Again, exceptionally, a motive might be so good by tribal standards as to win the murderer public admiration. Thus children in Shalë were taught with great pride that once a tribesman killed his brother for killing a guest, for an Albanian's duty to his guest transcends the claims of blood relationship.

Two modifications of the general rule are to be noted. In Mirditë in spite of the victim's blood being lost, the murderer had to pay the tribe the fine due in cases of ordinary murder, 100 rams and an ox. In the Malësi e Madhe if the two brothers had separated the fratricide had to pay blood money to his brother's dependants. If the widow had no children, she took all the money; if she had a daughter only, she again took it all, for when the time came for the girl to marry, she would as 'head of the family' have to pay the wedding expenses; if she had a son, he took all the money, for his father's death had made him head of the family. The blood money was therefore alimony payable to the widow and orphans who had been robbed of their breadwinner. If the two brothers had not separated, the fratricide as a matter of course supported the widow and orphans along with the other members of his household and the question of alimony did not arise.

Parricide was thought the most abhorrent of all murders within the family. In a sense a father had the right to kill his son without being asked by anybody what he had done, but a son unnatural enough to kill his father could surely not have been got by that father, but must be a bastard. Even where his crime was regarded

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couple were buried in any sort of hole, but in separate graves without a hoxha or being washed on boards and changed. In Lumë other customs prevailed. Both were buried in the cemetery in the ordinary way, unless they had been caught outside in some wood or thicket, in which case they were buried where they were killed.

Public opinion is growing against such double murders. It was too often the custom to give young girls to old men, with the inevitable result that the young wives were apt to fall in love with men more of their own age and had therefore to be killed by their fathers.

At Zdrâjshë, when a bride was found on marriage to be pregnant by another man, the unusually mild divorced her at once, but the general rule was to have her killed. The groom locked up the bride, sent for her father, and bade him find her lover. The father always asked for three or four days' respite during which he made inquiries. If the bride had indeed done wrong, an honest father sought out and killed the lover and then came to shoot his own daughter. Or perhaps he gave the bridegroom a cartridge and bade him shoot her with it. All the principles involved are well illustrated by a story from Lurë, still the most undisciplined of all Albanian tribes. About 1928 Metë Hoti, having taken a bride from Vehib Runa in Gur, found her within three months of bearing a child by another man. He sent her back to her father, bidding him find the lover and kill them both. The father would not kill his daughter and persisted in his refusal in spite of Metë's threats to kill the whole family if he did not do so. The father's kinsmen supported Metë, and when he came one night and killed the father, mother, daughter and infant and four other people in the house, they refused to avenge these deaths because the father had transgressed against the unwritten law. For the same reason the government merely imprisoned Metë for a few months.

A woman might be killed for various reasons by a man in her husband's or her father's family. For example, her husband or his representative had leave to kill her for heinous crimes like adultery, incorrigible pilfering, or murdering one of his relatives, but if they killed her for any other reason, her father killed one of them. Two principles were involved: one, that a man bought only the services of his wife and not her life; the other, that a woman retained till her dying day her right to protection by her father's family. Her son by the murderer could not avenge her, because killing his

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682 562 628 596 [607] father, his only means of doing so, was forbidden. Her son by another husband, belonging as he did to another family, was free to avenge her. If a woman's son killed her for any but the above heinous crimes, her husband could not avenge her, since to do so he must kill his son. In Mirditë her brother could kill her son or other male in his family, but elsewhere it was held that her brother was as helpless as her husband because her son was a nearer relative and her nearest relative having killed her, her blood must be lost. If she was married for the second time and was killed by the son of her former marriage, her husband could kill his stepson, but as before, her brother's hands were tied, except in Mirditë, by the law of nearest relative.

When a man killed his brother's wife for any other reason than those stated above, her husband took no action if he and the murderer had not separated; the murder was a family affair. Her brother, however, killed one of them. If the two brothers had separated, the murderer had to pay blood money to her husband. If the husband did not exact it within a year, her brother killed either the murderer or her husband. Her husband never killed his brother: 'I'd never kill my brother for the sake of my wife', was a common saying.

When a woman was killed by her father or brother, her blood was always lost by the rule of nearest relative. If she was married, her husband did not, in most districts, continue friendly relations with the murderer, but in some, such as Krasniqë, he asked him for another girl and on receiving her forgot his annoyance at the other's [584] murder. The same was true if the murdered woman was only betrothed, for a betrothed girl 'is counted the man's wife'. When a woman was killed by some other man in her own family, by her uncle or her nephew for instance, by the rule of nearest relative her [593] blood was lost if she was neither married nor betrothed. If she was either and was not killed for a heinous crime, her husband felt he had been disgraced and avenged her by killing a male in her family.

When murders were committed by women, the situation was complicated by the fact that women belonged to two families, their husband's and their father's.

[672] If a woman murdered her husband, both his family and her father's were involved. The important factor was her motive, which was usually love for another man who had probably bought the necessary rat poison in the bazaar. If her lover was her

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*628 596 details; vengeance could not be taken indiscriminately, but was governed by a multiplicity of rules. Thus, a murdered man found his most natural avenger in his brother, especially if they had not separated. If his father was not too old, and his son too young, to bear arms, they shared the brother's obligation. In slightly less degree so did his father's brother and cousin in the male line, and their sons and grandsons, that is to say, all the other males who were in the collective sense his 'father', 'brother' and 'son', through being at the time, or having recently been, members of his household. If his son was in the cradle, the child's mother and the neighbours told him of the crime as he grew up and urged him, failing another avenger, not to rest till he had done his duty. No matter which of these relatives took revenge, his 'rifle could be hung up' and 'go to sleep', to quote the picturesque phrases of Dibër and the North. The lawful representative of his murdered kinsman because he belonged to the same household, he had only made the two sides equal, with one of two results; either peace could be made or the feud continued between the same two families.

A man might kill his enemy where and when he could—in a chance encounter, in a meeting deliberately sought or in a carefully laid ambush. If he was 'strong' with plenty of good shots in his house, he and his family went alone on set expeditions. If he was weak he was probably accompanied by friends, who included friends in the ordinary sense, relatives by marriage, dependants and servants. They came, not for pay, but on his invitation or of their own accord. Invitations, always verbal, requested the recipients to come with so many rifles to such-and-such a place by [571] such-and-such a day and hour. Those invited were bound to come; those who volunteered were praised by the public for their bravery and devotion, a much coveted distinction. The distance from which they came was immaterial; a feud had no geographical limits.

[572] If the enemy fell to the rifle of a friend, the shot was always credited to the 'master', who was expected to assume responsibility for it. The enemy accepted the kill as a bout in the feud and either made peace or continued the feud with his original antagonist. The friend who fired the fatal shot could 'hang up his rifle' and let it 'go to sleep'; he did not need its protection for he was quit of the affair. If he had been alone when he killed the man, he would have 'brought the feud home', i.e. involved himself in a separate feud with the victim's family while leaving his friend's feud unaffected.

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CHAPTER XXIV

# BLOOD FEUD

## III. EXPIATOR AND EXPIATION

In most cases of murder one life only was forfeit to the avenger; 554 682
'one for one' was the formula. This was irrespective of the social standing or the character of the victim. Hence the murder of a standard-bearer (bajraktar) was neither better nor worse than the murder of the least of clansmen, and that of a priest was neither better nor worse than that of a layman.

The formula of 'one for one' was disregarded only in a few cases. 554 628 682
In Lumë, a district which prided itself on its 'spirit', 'two for one' was the rule when a man killed his social superior; nothing less would content his victim's injured pride. In most districts a man who suffered the more grievous forms of bereavement, losing his wife, guest or child at a murderer's hands, took double or even triple vengeance. In the Malësi e Madhe the victim's family, if 'strong' with all the pride that the epithet denotes, might kill two of the murderer's relatives if they found them together, though not otherwise. Spiro Toli of Shënjon, near Elbasan, a man as proud as any Lumjan of his 'spirit', felt so degraded when his brother was killed by a hireling at another's bidding, and that hireling a gipsy, that he killed both the instigator and the hireling. Pride, of course, was the ruling motive in every blood feud. By his successful crime the murderer had proved himself the better man, and the victim could not endure this inferiority and was bound to strike back in kind.

The person of the expiator seems to have undergone an historical development. Long ago, 'blood feuds went by the finger', that is to say, only the actual murderer, the man whose finger had pulled the trigger, was made to expiate his crime. Father Gjeçov aptly compares Deuteronomy xxiv, 16. In modern times the merging of the individual in his family was stressed as in the case of the avenger, and expiation might be made by any male who lived in the same house as the murderer and was in either the actual or classificatory sense his 'father', 'brother' or 'son'. 628* 672

This rule was subject to several important reservations. The

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The man killed in the murderer's stead must not be too old, feeble-minded, or physically frail to carry arms, for such men were counted women, and women could not be killed in blood feuds. If the avenger killed such a man, he lost caste, was publicly branded as 'low-class' and made it certain that the feud would not be closed. It was also illegal to kill boys who were still too young to carry arms, that is to say, under fifteen or in some cases twenty. In the Malësi e Madhe, however, it was held that one must take vengeance where one could, and that in default of an adult enemy one might kill a boy. Even in that region such a crime was not committed except by a very bad man or one who was frenzied with rage at the recent murder of a relative or otherwise. For instance, in 1933 a subaltern of the Alije family, whose wife had been carried off by another Dibran, refrained for some years from avenging the insult in the way demanded by mountain law. Taunted with this restraint at a chance meeting in a café, he put aside the civilization acquired during his military education in Albania and in Italy and rushed for his revolver. As he was unable to find the man who had taunted him, he lay in wait for the latter's schoolboy son, aged fourteen, and shot him dead.

The men of Shalë said that vengeance on a boy was commoner in Pult than in their own tribe; the men of Pult, they added contemptuously, were in every way their inferiors. Much the same was said by the tribesmen of Lurë of their neighbours in Mirditë and Kthellë, who returned the compliment in kind. In Lumë a man who took such vengeance was never again given the greeting 'Peace be with thee', which is every good Mohammedan's due from his fellows. The manner of such vengeance was inevitably very brutal. Thus two men from Shlak, when working in Bardhanjol, found the small son of their enemy and tore him in two; they are said not to have troubled to kill him first. More often the enemy wrenched the cradle off a woman's back and in her presence cut the infant's throat. A particularly nasty case was reported about 1932 from Shalë, one of the most backward regions of Albania. While two families were quarrelling about a piece of land, the wife of Grimës one day voiced her opinions so volubly in Gjelosh's house that he lost his temper and pushed her out. She fell down some steps by the door and bruised her hip. She showed the bruise to the gendarmerie, who were sympathetic enough to arrest Gjelosh and to imprison him for three months. The woman, who cared more

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for the violation of her honour by the push than for the bruise, was not satisfied and instigated her son, a boy of twelve or thirteen, to vindicate her honour by killing Gjelosh's son, who was of the same age. Since the boys habitually herded their goats together, her son found an opportunity of pushing the other boy over a rock and as he lay there helpless he stoned him till he died. Then Gjelosh, still in prison, paid a man to kill the little murderer. Grimës retorted by killing Gjelosh's remaining son and dooming Gjelosh's family to extinction.

Two instances, both from Beshkash in western Mat, in which a child was killed by a woman in revenge for the death of a relative, are recorded. In the first (about 1918) the only son of Pushko Zefi of Beshkash had been killed, and the cousins, who were his natural avengers, did not seem inclined to do their duty. Maddened by their inaction, the victim's sister, who was married in Perlat, took the opportunity provided by a visit to her old home and called at the enemy's house. On being left alone for a moment with a small boy in the kitchen, she cut his throat. Another woman in Beshkash, crazed by the murder of her grown-up son by Pal Dede Hajo, went to Pal's house and cut off the head of a little boy she found asleep in his cradle.

Since women do not have rifles or blood feuds according to the Kanùn, a woman could not possibly be killed to avenge a murder. It follows that when a woman avenged a murdered relative, she could not be killed in return, and indeed this did not happen very often. The tabu on killing a woman in any circumstances was reinforced by all the forces of public opinion and superstition. Killing a woman save when taken in adultery or incorrigible pilfering was the most disgraceful thing that an Albanian could do. Only one who came from 'a low-class family' would do it, he never again had any luck with his rifle and he could not hope to have his crime pardoned, but must wash away his crime with his blood. He need pay with only one life, but if his victim was a married woman, he could hardly hope to save it, for two or even three families sought to take it. The dead woman's husband wished to avenge his wife, her father his daughter, and, in Martanesh, her maternal uncle his niece. At Shënjon, near Elbasan, the father asked the husband if he meant to kill the enemy; if from cowardice or weakness he said no, the father at once set about tracking down the enemy. Since 'rifles can't weigh'—that is, discriminate—a

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562 woman was sometimes shot accidentally in a man's stead in spite of
*628 the tabu. In that unhappy event in Kurbin a woman in the
● 672 murderer's family might be killed in return. If, too, a feud was
784 unusually bitter, as was, for instance, the Kaloshi family one in Dibër, all barriers of law and disgrace were thrown down; 'kill at all costs' was the order of the day, and in its execution women and children were as likely as men to suffer.

This tabu on killing women had several sources. In the first place, a woman was 'a sack for carrying' things, i.e. she was the vehicle by which a family was carried on, and killing her might mean the loss of more than one man to her husband's family. Then she carried no arms, and therefore was classed with old men, children, and lunatics as safe from an avenger. Again, she was
[421] always regarded as an article of property, belonging in her maiden days to her father and afterwards to her husband; her father had the right to her work till she married, and her husband afterwards; in token of this work her father sold her dear, and her husband bought her dear. Articles of property could not be damaged in the course of blood feuds. There was also the feeling that it was a disgrace for a 'strong' man to kill anything so inferior as a woman.

The tabu on killing women was so strong that when one committed a murder, not she but one of the males in the family expiated the crime, if expiation were possible. Murders by women fell into two categories, the first outside and the second inside the family. In both cases the murderess might commit the crime on her own account or butt into a men's quarrel to avenge a murdered relative.

* 628 One more class of expiator remains to be considered. It some-
672 times happened that a man hired an outsider to kill his enemy. In
[754] the Breg i Matit some held that such a man was a 'witch', and
676 since witches could not have blood feuds, he must go scot-free and his hireling suffer, like any other murderer. In most places, if the instigator could not be discovered, or if time was passing without vengeance being taken on him, the hireling was killed. These practices were exceptional, and in general the feud was credited to the principal rather than to the subordinate who fired the fatal shot.

[554] Vanity as well as justice came into the question, for the instigator was usually a more important person than his instrument, and killing him brought the avenger more glory.

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If expiation took the form of blood money, no distinction was made for age; the payment for a worn-out man of eighty or an able-bodied man of thirty was the same as for a boy of five or an infant of a few weeks. As when a life was taken for a life, no distinction was made for social standing or moral character; the payment for a bajraktar was the same as for a labourer. A female's 'blood', however, cost only half a male's. In the early days when these payments were determined, money was so distributed that the rich had a great deal, while the poor, who formed the bulk of the population, were all but penniless. The fear of having to pay a large sum in blood money was therefore a considerable deterrent against murder.

Blood money was accepted only in Mirditë and north Albania. Elsewhere it was scorned. 'Blood money and bride-price do you no good', said Lumë. 'We don't sell blood for money; that is a low thing to do', said Çermenikë, a boast repeated in Dibër in even stronger terms. In Labinot and Godolesh blood could not be washed away with money on the north Albanian system. In all these districts the formula after a murder was 'either pardon or kill'.

It must be admitted that neither lived up to its pretensions, the north being more truculent and the other districts less truculent than they claimed. In the Malësi e Madhe, for instance, only weak, low-class families would accept blood money; if other families did so, they were held to have 'disgraced themselves'. Indeed, a bajraktar's household, a voivode's or a 'leading family' should seek for fifty years, if need be, to kill the murderer of one of their men. On the other hand, a Çermenikë man sometimes accepted blood money, but if he so demeaned himself, his aim was to ruin his enemy and he fixed the price accordingly. In Dibër no man would accept blood money for a male relative unless it was accompanied by the present of a rifle as a conventional sign that he was still free to kill the murderer if he could. In Lumë a subtle use was sometimes made of blood money. Normally, when a life had been paid for a life, peace was made. But when an inferior killed his superior, the latter's relative would not make peace till he had killed two of the other's men. At the peace-making the first was paired with the original victim and for the second the superior's relative paid blood money.

Given the stigma attached to blood money, it was seldom paid except in lighter cases. After an accidental murder, for instance,

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672 honour was in most places satisfied by a money payment. For
682 example, two men of Krujë were examining a revolver together,
*628 not knowing it was loaded, when it went off suddenly and killed one of them. The other was held guilty of murder, but in view of the circumstances escaped with a payment of twenty-five napoleons, the conventional six purses. If an animal killed somebody, the death was considered accidental and the payment of blood money sufficed. In Breg i Matit the grazing was good enough to carry a considerable head of cattle which wandered freely through the swamps, with consequent risk to the public from the bulls. If a man was killed by a bull which its owner knew to be dangerous, the latter had to pay blood money, failing which he was liable to be shot. If he did not know the animal's character, he was excused the payment of blood money but had to surrender the bull to its victim's relatives as a minor atonement.

Accidental though a murder might be, the murderer could not rely on saving his life with blood money. Especially while the crime was fresh, he was well advised to lie low until responsible men had weighed the case and confirmed its accidental character. After paying the money he was not absolutely safe unless he found a guarantor.

In Mirditë when blood money was accepted the murderer had also to pay fines of 100 rams and one ox to the tribe and of 500 grosh (piastres, i.e. one purse) to the family of the Hereditary Captain of Mirditë; the animals were eaten at a public banquet by the tribe. These fines were imposed on the murderer for disturbing the public peace. In cases of accidental murder, however, no fine was payable; the formula ran: 'The rifle which kills accidentally entails blood (really blood money) for blood, but not a fine or pursuit.'

627 The payment of blood money also solved the difficulties in
682 certain cases of murder within the family where atonement had to
*628 be made, yet could not properly be exacted in the form of a life for a life. For instance, if two brothers in Shkrel had separate households, when one killed the other's wife for any but a question of honour, the victim's husband could not kill his own brother for
[583] her sake but had the right to exact blood money; after all, he had been unjustly deprived of his wife's services and must buy another wife. If a married woman in Shkrel were killed, again unreservedly, by some member of her husband's family, her son, if fifteen years

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of age or more, could not kill the murderer, his own relative, but exacted blood money. In Shalë another principle came into play. If the dead man's relatives did not succeed in killing the murderer within seven years, they accepted blood money. In places like Mirditë where a fine was exacted when blood money was accepted for a murder, no fine was payable in cases of wounding.

In Mirditë 'wounding went by the part'. If the wound was inflicted at the waist or upwards, even if the bullet only grazed the man's head, the aggressor had to pay three purses; if the wound was below the waist, he need pay no more than 750 grosh, i.e. 1½ purses. In Lumë if a wound left a man lame for life, the wound-money was assessed at seventeen napoleons, roughly four purses, or two-thirds of a man's value; if not, five napoleons were enough. In Krasniqë if a man was so wounded in the private parts that he could no longer be a husband, his assailant had to pay him twelve purses, double the price of a dead man. The doctor's expenses had always to be paid by the aggressor; in Martanesh these were customarily reckoned at 200–300 grosh (piastres), and if they were paid, wound money was sometimes not asked. In Mirditë the doctor's expenses were not fixed by custom but were due only when the victim's relatives regulated the matter, not when the headmen did so. In Çermenikë if a man wounded his enemy, that is to say, the man with whom he had a feud, he did not pay the doctor's expenses; if he accidentally wounded a friend or a neutral, he did. This rule was maintained by King Zog's government. Once an American missionary of Korchë had taken a class of boys for a walk in the country when one fell down a precipice and was gravely injured; the government refused to allow the American to leave Albania until the boy, months afterwards, was restored to health and the American had paid the doctor's bills.

As with a death, accident was no excuse. For example, in 1932 two men from Zdrâjshë in Çermenikë were cutting down a tree by the wayside, when a man from Neshtë, on his way to fetch maize, rode by. The woodcutters called to him to stop, but he paid no heed. As he passed, the tree fell, pinning him to the ground. He was carried home, where he lingered for three months and then died. After his death the woodcutters had to pay his family three purses for wounding him. Wounds inflicted by animals, though considered accidental, had also to be paid for. Those inflicted by dogs fell into a special category. In Shkrel the elders were summoned to

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assess the doctor's expenses, which were then paid by the animal's owner.

A murderer might also expiate his crime, voluntarily or involuntarily, by exile. If voluntarily, he ran away fearing for his life, but only a weak man who was personally a coward, or had few adult males in his family to keep the enemy at bay, consented to show the white feather.

Voluntary exile might be temporary or permanent. In the former case the murderer did not give up the idea of eventually making his peace with the victim's family and securing their permission to return home.

A normal exile's hope of ending his feud lay in several directions. The victim's family might become so weakened by other blood feuds that they knew themselves to be no longer formidable and sank their pride enough to accept blood money in full payment. They might even become poor enough to be tempted by the offer of money. Or they might consider an absence of ten or twenty years' duration as part atonement and for the rest content themselves with blood money. They might even, on the intervention of friends, forgive the crime outright. In Çermenikë, in the days when 'murder went by the finger' and a murderer's relatives could not make vicarious atonement for his crime, he commonly retired to another district for four or five years, after which the victim's family probably gave a conditional assent to his return. If he risked returning, he kept discreetly out of the way while mutual friends interceded for him. Occasionally they secured his pardon; more often he had to withdraw for a further period of four or five years. During this second absence the enemy's heart almost certainly softened enough to make his next return definite.

Voluntary exile might become permanent for several reasons. It might, for instance, be so protracted that the murderer grew used to his new surroundings and, ceasing to hanker for his old home, settled down where he was. Hysen Agë Jella, of Tirana, having killed Ramiz Bey Toptan, also of Tirana, fled to Bulqizë and took refuge with the noted brigand, Sul Hupi. Under the latter's protection and by reason of his own wealth and prestige, he acquired such a position in Bulqizë that when eventually the feud with the Toptans was closed, he did not return to Tirana, preferring to remain in Bulqizë.

Again, an exiled murderer sometimes prospered so much that

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subsisting at the time of his expulsion were voided by that fact. When his banishment was temporary, his marriage engagements remained binding.

Even in cases of temporary banishment the murderer's separation from his tribe was thoroughgoing. For the specified period 'he could not light a cigarette in a single house of the tribe', as the men of Lurë put it. Nor could he, or his, return to borrow honey, that most important commodity where sugar is scarce. In Mirditë a tribesman who admitted him to his house for any of the above purposes was publicly 'burned, roasted and expelled' for breaking tribal discipline.

The banished murderer's obligation to take root whether he wished it or not in some alien spot is another of the factors which produced the many colonies of diverse origin in Albanian lands. The exiles, home-sick like exiles the world over, often gave the name of their ancestral village to their new settlement.

If the murderer did not choose to go into exile of his own accord, he was condemned by the avenger to virtual imprisonment in his house. Sometimes he shut himself up voluntarily; more often, especially in north Albania, he was peremptorily ordered to do so by the avenger. For the period of his 'imprisonment' fear that the avenger was lurking near prevented him from stirring outside during the daytime and restricted his movements to the night hours. If he left home, he had by dawn to find shelter under a friend's roof and he could not continue his travels until the next night fell. These disabilities were his so long as he eluded the avenger, and he might do so for years, as in the case of a native of Sheshaj who had been shut up by his enemy for twenty-five years. At Belsh in Dumre, as a result of this confinement, two men who had been shut up for twelve years were 'waxen and yellow as the dead'. They longed to walk in the sunlight and were bored indoors where they could do nothing to pass the time except strip maize and knit (most curiously, knitting is one of the staple occupations of the men, but not the women, in Dumre). But they could not help themselves, since it was certain death to step outside during the daytime.

Just as the murderer's house could not be burned down in case women and children perished in the conflagration, so his 'imprisonment' could not be allowed to stop the work of the family in case women and children died of starvation. There were several

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provisions for carrying on the work. The first was the law that women, children, servants and domestic animals must not be shut up. So in comparative security the able-bodied women, on whom fell the heaviest burden, tilled the fields, went to market, ground corn at the mill and fetched water from the spring and firewood from the forest. The boys and aged women herded the cows, sheep and goats. The servants took part in any or all of these tasks, but few households could afford the luxury of servants.

A social phenomenon alleged to be a by-product of this immunity of women and children is interesting. To-day a good proportion of the agricultural work of Albania is done by women, while the men idle; a generation ago the bulk of it was so done. The men of to-day excuse their idling by saying it is a habit formed when they or their fathers were shut up by blood feuds; whatever their natural inclination to work, they were then driven perforce into allowing their women to toil alone to feed the family. This plea may or may not be valid; as the frequency of blood feuds decreased, the men's industry increased.

In bad feuds the immunity of women and children was sometimes denied. Even to-day the women of Murat Kaloshi's household cannot stir outside his compound except under heavy escort; failing that, they would be shot without pity by his enemies. The numerous children in his household are growing up illiterate four minutes' walk from an excellent school; if they attended this school, a battalion of gendarmes or men-at-arms could hardly ensure their safety. Another bad case is to be found at Milot, where even the boys in the cradle in Gjin Bardhoku's house have to share the men's imprisonment. In Çermenikë the immunity of women was never absolute; there was always a danger that the avenger might lose his temper and kill them. Within living memory two women in Fenars, one of the more accessible villages in Çermenikë, once tried to plough and were discovered by the avenger. On their declining to desist as he bade them, he fired at them with unexpectedly fortunate results. He wounded both but only severely enough to make them fall to the ground while letting go the oxen. They made a speedy recovery and, each wound counting as half a 'blood', the avenger was considered to have taken vengeance. The two parties were then 'measure for measure' and made peace.

Again with a view to feeding the murderer's family an avenger

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sometimes yielded to a friend's pleadings and allowed one or more men in the 'imprisoned' man's household to come out and work. The same friend went security to the murderer for the lives of the man or men released. In Shpat, if one of the men imprisoned died, the avenger sent word that one of those hitherto free must shut himself up in his stead. It is not known whether this was the rule in other districts or not.

In earlier times, according to vague traditions still current in Çermenikë and Martanesh, only the actual murderer was shut up and the other men in his household were free to work and to travel. This tradition is supported by the history of the Balli family in the village of Fenars. Seven generations ago, i.e. about 175 years ago, Sali Balli of Martanesh killed a friend and was shut up by the avenger, while his four brothers went free. He grew so bored in his 'prison' that he ran away from Martanesh and settled in Fënars, where he founded a family now headed by Isuf Balli. The descendants of his brothers still live in the old home in Martanesh.

When an avenger felt too bitter to release indefinitely one or more men in the imprisoned murderer's household, he was sometimes induced to make a minor concession. When all the men were shut up, women were able to hoe, to carry manure, to sow seed, to reap wheat and to harvest maize successfully, but they could not plough—so it was believed in north, though not in south, Albania, where the wives of many emigrants must to this day plough if they and their children are to eat. There was therefore danger in north Albania that if all the men were shut up during the ploughing season, the family would, in spite of the women's efforts, starve. This led to a ticket-of-leave system, called *besë*, literally 'pledged word', 'truce', or *kuvend*, 'agreement'. At the instance of a mutual friend the avenger granted the murderer leave for one or more men in his household to come out and work his land for a stipulated period, varying from three to twelve months. As so often, the forces of public opinion reinforced the friend's urgings; indeed, it was said of an avenger who refused his enemy leave to plough that he 'was not to be entered in the register', i.e. could not be classed as a man, and of one who did not that he was both brave and honourable.

In Dukagjin the kanùn of murder was so stern that neither the murderer nor his womenfolk were allowed to work his land if the avenger was strong. Indeed, the avenger often worked it and carried home the produce, leaving the murderer's household

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bajraktar, are perpetual like the law about fire[1] and other laws. Whoever breaks this law must pay an ox to the tribe and 300 grosh and a ram to the government's representative, otherwise he will have his house burned.

The Youth of Shalë
April 30th, 1905

## XI. Laws Enacted by the Tribe of Kurbin on August 5–7, 1906.

(From Father Gjeçov, *Kanùn*, p. 129.)

1. Whoever joins the government police shall have his house burned and be excluded from funeral gatherings and hospitality.

2. A man who goes to complain to the Turkish government about a Christian shall pay a fine of 1000 grosh.

3. A man who steals from his neighbour or breaks into his house must, if he denies doing so, give his oath with 12 compurgators. If he proves to be a robber, he must pay a fine of 1000 grosh, and return to the owner of the house two for every article stolen.

4. If an ox is stolen and the accused denies the theft he must give his oath with 6 compurgators. If on enquiry he proves a thief, he must pay a fine of 500 grosh and return to the animal's owner two oxen for the one stolen.

This judgement holds also for a horse and a mule.

If a cow is stolen and the theft denied, the accused's oath needs three compurgators. If he proves a thief the penalty is returning two for one to the owner and a fine of 250 grosh. So too for a donkey.

If a bell-goat or a bell-wether is stolen two for one to the owner and a fine of three rams. If the theft is denied the oath must be given by the accused and all the males in his house.

For every small animal two for one to the owner and a fine of two rams. If the theft is denied the oath is with all the males in the accused's house.

5. Setting fire to a house[2] means a fine of 2500 grosh; to an animals' fold, a haystack and a hedge, a fine of 1500 grosh and returning two for one to the owner.

6. A man who does not come to a General Assembly when summoned by the village elder will be fined one ram.

7. If word is sent to the elders to come to a General Assembly anyone who does not come must pay a fine of five rams. If he has an excuse this will be weighed by the other elders.

[1] The Italian version already alluded to (Gjeçov's *Codice di Lek Dukagjini ossia Diritto Consuetudinario delle Montagne d'Albania*, Tradotto dal P. Paolo Dodaj, Roma, 1941) here reads *il mugnaio*, 'the miller' (cf. supra p. 263).

[2] The Italian version reads *La violazione (per furto) del focolare domestico*, and taking fire from a neighbour's hearth without permission is frequently taboo among primitive peoples.

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[Covenant of Mat, 1942]



any political intriguers against the present régime who may be found within its territory.

2. If, after the conclusion of this covenant, one man kills another with or without just cause, his family shall be punished by the people of Mat with banishment from Mat for three years and his property, both movable and immovable, shall be confiscated and become state property.

3. The same penalties shall be imposed on any man who runs off with a betrothed girl or a married woman.

4. When a domestic animal has been stolen and the thief cannot be found, the village to which the tracks lead must either pay the animal's value or prove that the tracks lead away from its land.

5. Whoever aids criminals and gives them food and shelter renders himself liable to the penalties detailed in clause 2.[1]

6. Whoever carries arms of any description without declaring them renders himself liable to the death penalty.

7. Whoever spreads false rumours about the policy of the State, public security or public finances to the detriment of the present régime and its policy shall be punished as laid down by the Lieutenant-General's decree No. 185.[2]

8. The people's representatives are to regulate and to examine all complaints which may be made concerning land, irrigation, water, roads and forests and if a commission succeeds in settling a dispute between two persons, the decision of the commission shall be inviolable. If it is contested, the contestants shall take the matter to the proper court.

9. Land in Mat is generally held without regular title-deeds and ownership is proved by nothing but a written receipt (*senet*) and a meal according to the local custom. It appears that lately the ownership of properties bought 5, 10, 20 or 30 years ago with a receipt and a meal, as witnesses also confirm, is often disregarded or if regarded, is a constant source of disorders and murder. To put an end to such quarrelling the local Commission must not meddle with exchange of land so made until the Government has registered all the land according to the laws concerned.

10. The chairman of the Commission shall be the local sub-prefect, and its members the political secretary of the sub-prefecture, the gendarmerie commander, the Fascist Albanian militia's commander, and the representatives of the people who assist in drawing up the present covenant.

11. It is learned that Communists or, as some call them, Bolshevists, have made their appearance among us. We must get rid of these persons

[1] (Author's note. At this time the term 'criminals' included not only transgressors of the law but also patriots resisting Italian rule.)

[2] (Author's note. No copy of this decree can be found.)

## Politics and Feuding

592 THE smallest political institution in tribal Gheg society is the household, the extended family living together, which is also an economic institution. The head of the household is the oldest male of the parental or grandparental generation, the patriarch. So strong is the feeling for age-grading in Albania that men will obey their fathers as faithfully at 40 and 50 as in their teens. Since all sons do not necessarily live with their fathers, but some may occupy separate houses, the institution of the household may thus be expanded spatially, although the relationships are maintained.

●[672] The household is a unit of warfare; when a man commits murder within his own tribe, his
[628] household suffers together. In seeking vengeance, a man can wipe out the blot on his family honor by killing the brother of his enemy; responsibility is held to be collective. If one member of a household kills another, which happens but very rarely,[1] nothing is done. The loss is that of the family.

621 The next unit is the village. It may be a compact group of houses, surrounded by its farmland and pasture; or it may consist of isolated homesteads, each in its own land. The latter is the more usual form. In either case, it has some central building, a mosque or a church; or it may merely have a flat place, usually shaded by an oak, where the elders
623 meet. Each village is supposed to have 12 elders, whose office is partly hereditary, partly elective. Various families habitually furnish one man each to fill this position. The word for elder is *plak*, which Miss Durham traces back to the time of Strabo.[2] One of these elders is the *kryeplak*, literally, head elder. In one village in Has, when I measured the *kryeplak*, he told the recorder that he was "mayor" of the village. He calls the elders together when events arise that need their

[1] Miss Durham gives one instance from Dukagin (Durham, 1928, pp. 69-70).
[2] Durham, 1928, p. 14.

521 wouldn't be able to get out of those sacks, Ha! Ha! Ha!"

628 682 619 What happens when a man kills another of the same tribe can best be learned from the following quotation from Miss Durham.[7]

Murder may be the result of a quarrel or it may be a blood-feud, the cause of which is more or less remote. In either case the man who has taken blood flies at once to a safe place outside the tribe. [Miss Durham is using "tribe" in the restricted sense, as before.] Any house is bound to give him hospitality. In the case of a feud, he is regarded as a most unfortunate man who has but done his duty. He at once proclaims his deed. The headmen of his tribe then meet and order his house to be burnt. Among the Dukagini the council has power also to destroy his crops, cut down his fruit trees, slaughter his beasts, and condemn the land to lie unworked for a term of years. An incredible amount of food-stuff is thus wasted. In this group not only the man who has taken blood, but all the males of his "house," are liable for blood, so they, too, have to fly. The "house" is the home maybe of a whole family community—forty people. But the law is carried out to the last letter. Such desolated spots have I seen. But "It is the Canon, so must be obeyed," was the answer to any remonstrance I made. The women and children may scatter and find shelter in other houses if they can: they usually do. A man can save his house if he can return to it and defend it three days successfully, so that the men sent by the council cannot set fire to it. I saw "a very brave man" in Berisha who had three times saved his house thus. Or a man can save his house by inviting the head of another mehala [household] to act as house lord and defend it with his own men. This might cause severe fighting. The council, to prevent this, then as a rule agrees to burn the house only and spare the property. The amount of property to be destroyed was always decided by the council. . . . In addition to the burning of the house, in all tribes a fine has to be paid. . . . in sheep or cattle. . . . to the Turkish Government. In the case of Maltsia e Madhe this was paid . . . in Scutari. . . . punctually . . . . The Turkish Government had a certain hold on all the nearer tribes, for it could hold as hostage any member of a tribe which owed blood-gelt and came to market at Scutari. The outlying tribes of Dukagini by no means always either notified or paid for their murders.

[672]

Feuds being very weakening to a tribe, the headmen of the tribe or friends of the family would attempt to stop the feud. Blood-feuds of the Dukagini

[7] Durham, 1928, pp. 66-68.

[8] Miss Durham translated *bairaktar* as "head of the tribe." This explains her confusion between tribes and *bairaks* noted earlier.